IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 545 OF 1987

Maharashtra State Co-operative
Oilseeds Growers' Federation Ltd..... Plaintiff.

Versus

Ahmad Mohammed Hussain & Co... .... Defendant.

Smt. S.R.Sawant for the Plaintiff.

Mr.Pankaj Sutar i/by Khaitan & Jaykar
for the Defendant.

CORAM : D. G. KARNIK, J.

DATED : 30TH JUNE, 2006.

P.C.:

Heard both the learned Counsel for the Plaintiff and the Defendant. The Defendant has not filed its written statement.

2. The suit is a simple money recovery suit. In the absence of the written statement, the averments made in the plaint are deemed to have been admitted. In exercise of the powers under Order 8 Rule 5(2) read with Order 8 Rule 10 of the Code of Civil Procedure, it will be appropriate to pass a decree without

requiring the Plaintiff to adduce evidence.

3. Accordingly, the suit of the Plaintiff is decreed in terms of the prayer clause (a).

Sd/-

(D. G. KARNIK, J.)